

From the INTERNATIONAL BUREAU

**PCT**NOTIFICATION CONCERNING  
TRANSMITTAL OF COPY OF INTERNATIONAL  
PRELIMINARY REPORT ON PATENTABILITY  
(CHAPTER I OF THE PATENT COOPERATION  
TREATY)

(PCT Rule 44bis.1(c))

To:

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8 JUN 2006

Date of mailing (*day/month/year*)

01 June 2006 (01.06.2006)

Applicant's or agent's file reference

IAM/P/29354.WO

## IMPORTANT NOTICE

International application No.

PCT/GB2004/004675

International filing date (*day/month/year*)

05 November 2004 (05.11.2004)

Priority date (*day/month/year*)

18 November 2003 (18.11.2003)

Applicant

MADISON FILTER 981 LIMITED et al

The International Bureau transmits herewith a copy of the international preliminary report on patentability (Chapter I of the Patent Cooperation Treaty)

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference IAM/P/29354.WO	<b>FOR FURTHER ACTION</b>	See item 4 below
International application No. PCT/GB2004/004675	International filing date ( <i>day/month/year</i> ) 05 November 2004 (05.11.2004)	Priority date ( <i>day/month/year</i> ) 18 November 2003 (18.11.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant MADISON FILTER 981 LIMITED		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- |                                     |              |   |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the report   |
| <input type="checkbox"/>            | Box No. II   | Priority  |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention  |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited   |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application   |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

Date of issuance of this report  
22 May 2006 (22.05.2006)

Authorized officer

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02/06

## PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

REC'D 31 JAN 2005

WIPO  
PCT PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY  
(PCT Rule 43bis.1)Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)Applicant's or agent's file reference  
see form PCT/ISA/220**FOR FURTHER ACTION**  
See paragraph 2 belowInternational application No.  
PCT/GB2004/004675International filing date (day/month/year)  
05.11.2004Priority date (day/month/year)  
18.11.2003International Patent Classification (IPC) or both national classification and IPC  
B01D46/52Applicant  
MADISON FILTER 981 LIMITED

## 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1 (a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

## 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:

European Patent Office  
D-80293 Munich

Authorized Officer

Sembritzki, T



**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/004675

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material:
    - ☐ in written format
    - ☐ in computer readable form
  - c. time of filing/furnishing:
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in computer readable form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/004675

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes: Claims	2-17
	No: Claims	1
Inventive step (IS)	Yes: Claims	
	No: Claims	1-17
Industrial applicability (IA)	Yes: Claims	1-17
	No: Claims	

**2. Citations and explanations**

**see separate sheet**

Reference is made to the following documents:

- D1: EP-A-0 542 396 (USM ESPANA SA ; BRITISH UNITED SHOE MACHINERY (GB)) 19 May 1993 (1993-05-19)  
D2: DE 33 04 350 A (SCHUMANN TEXTILE INDUSTRIEPROD) 9 August 1984 (1984-08-09)  
D3: GB-A-2 294 649 (BTR PLC) 8 May 1996 (1996-05-08)

**Item V:**

**1. Novelty and inventive step**

1.1 Document D1 discloses a filter consisting of two pleated filter cloths forming diamond or lozenge-shaped spaces in between. The edges of the filter cloths are clamped together using a strip consisting of an elongated clip member (see D1, column 10, line 28-32 and figures 1 and 4). The subject-matter of claim 1 is therefore not novel (Article 33(2) PCT).

1.2 Documents D2 and D3 both disclose similar filters and means for clamping the edges of the filter cloths together (see D2, page 8, line 27 - page 9, line 29 as well as D3, figure 5 and page 7, line 3-6). D2 and D3 additionally disclose a fixation between the individual pleats, however, this is not excluded by the present definition of claim 1. On the one hand in a strict interpretation of the present wording both documents must be regarded as being novelty destroying for the subject-matter of claim 1. On the other hand the mere use of clamping forces in order to hold the edges two filter sheets together is well known from the prior art and not able to justify the presence of an inventive step (Articles 33(2) and 33(3) PCT).

Both documents further disclose filter cloths which are secured at top and bottom to frame members so that the subject-matter of dependent claim 2 does not meet the requirements of Article 33(3) PCT.

1.3 At present there seems to be a difference whether the edges of a filter are merely clamped together (claim 1) or whether they are completely surrounded by mouldings (claim 3 ff). In the latter case the force for fixing the edges seems to be provided by an intimate contact between the cloth material and the strip material during the moulding procedure, i.e. an interconnection between the surface of both materials and not by clamping forces (Article 6 PCT). This inconsistency

between the definition of the claims leads to doubt concerning the intended scope of protection. In view of this clarity problem, it is not possible at the moment to define accurately what could be the invention underlying the present application. As already pointed out above, the use of clamping forces is well known from the prior art, with regard to mouldings it seems to be a well known design possibility to form the frame members of a filter cloth as mouldings which are directly moulded to the edges of the filter material. Examples can be found throughout the whole field of gas and liquid filtration so that the use of this technique in the present case does not seem to be able to provide any unexpected effect. The subject-matter of the other dependent claims referring to alternative possibilities for connecting edges of the filtration media using either clamping forces or mouldings seems to contain only features which are either known from the prior art and which a skilled person could easily combine without any inventive skill, or which are the result of a normal design procedure followed by a skilled person (Article 33(3) PCT).

**2. Industrial application**

The industrial applicability is obvious.